IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3586 OF 1988

M/s Nav Bharat Traders .. Petitioner

vs

Union of India & ors .. Respondents

None for Petitioner

Mr.P.S.Jetley with Mr.R.C.Master
i/b Mr.H.P.Chaturvedi for Respondents

CORAM : S.RADHAKRISHNAN &
V.C.DAGA, JJ

DATE : 7th June, 2007

P.C.

1. None appears for the petitioner. Learned counsel for the respondent is present.

2. PetitIon is dismissed in default. Respondents are at liberty to recover the amount from the petitioner along with interest at 18 % p.a. from the date of the refund with costs quantified at Rs.5,000/-. Even otherwise learned counsel for the respondents submits that the issue is squarely covered against the petitioner in view of the judgment of this Court in Elkays International vs Union of India 2004 (178) E.L.T. 95 (Bom).

(V.C.Daga, J (Dr.S.Radhakrishnan, J)